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Agenda item 17

HUMAN RIGHTS QUESTIONS

Report of the Social Committee

1. The Social Committee considered human rights questions (agenda item 17) at its 1st to 7th meetings, on 29 and 30 June, 1, 2 and 15 July 1992. It had before it the following documents:

(a) Report of the Committee on the Rights of the Child; 1/

(b) Report of the Secretary-General on regional arrangements for the promotion and protection of human rights in the Asian and Pacific region (A/47/184-E/1992/44);

(c) Report of the Commission on Human Rights on its forty-eighth session; 2/

(d) Report of the Committee on Economic, Social and Cultural Rights on its sixth session; 3/

(e) Report of the Committee for Development Planning on its twenty-eighth session (E/1992/27);

1/ Official Records of the General Assembly, Forty-seventh Session, Supplement No. 41 (A/47/41).

2/ Official Records of the Economic and Social Council, 1992, Supplement No. 2 (E/1992/22).

3/ Ibid., Supplement No. 3 (E/1992/23 and Add.1).

(f) Note by the Secretariat transmitting the relevant section of the report of the Ad Hoc Working Group of Experts on southern Africa on allegations regarding infringements of trade-union rights in South Africa (E/1992/41);

(g) Report of the Secretary-General on the suppression of the traffic in persons and of the exploitation of the prostitution of others (E/1992/49 and Add.1 and 2);

(h) Note by the Secretary-General transmitting general comments relating to articles 7 and 10 of the International Covenant on Civil and Political Rights, adopted by the Human Rights Committee at its forty-fourth session (E/1992/58);

(i) Note by the Secretary-General on allegations regarding infringements of trade union rights in South Africa (E/1992/70).

2. At its 1st to 7th meetings, the Committee held a general discussion on the item. At the 1st meeting, on 29 June, the Committee heard an introductory statement by the Under-Secretary-General for Human Rights.

3. At the 2nd meeting, on 30 June, statements were made by the representatives of Sweden (on behalf of the Nordic countries) and Canada and by the observers for Portugal (on behalf of the States Members of the United Nations that are members of the European Community) and Hungary. A statement was also made by the observer for the Inter-Parliamentary Union, a non-governmental organization in consultative status with the Economic and Social Council, category I.

4. At the 3rd meeting, on 1 July, statements were made by the representatives of Argentina, Sweden, Peru, Turkey, Chile and Morocco. The observer for the Intenational Labour Organisation made a statement. Statements were also made by the observers for the International Confederation of Free Trade Unions, the International Movement ATD Fourth World, the World Muslim Congress and the International Alliance of Women - Equal Rights, Equal Responsibilities, non-governmental organizations in consultative status with the Economic and Social Council, category I.

5. At the 4th meeting, on 2 July, statements were made by the representatives of the United States, the Russian Federation, Poland and Romania and the observers for the Holy See, the Libyan Arab Jamahiriya and Tunisia.

6. At the 5th meeting on 2 July, statements were made by the representatives of Brazil, the Syrian Arab Republic and Pakistan.

7. At the 6th meeting, on 15 July, statements were made by the representatives of Japan, Colombia, Mexico, China, the Philippines, Algeria and India and the observers for Egypt, Venezuela, Iraq, Myanmar, Palestine and Ukraine.

8. At the 7th meeting, on 15 July, statements were made by the representatives of Malaysia and Yugoslavia and the observer for Cuba.

Recommendations contained in the report of the Commission on Human Rights

9. Chapter I of the report of the Commission on Human Rights on its forty-eighth session 2/ contained 7 draft resolutions and 34 draft decisions recommended for adoption by the Council. A statement with regard to administrative and programme budget implications of resolutions and decisions adopted by the Commission at its forty-eighth session is contained in annex III to the report.

Adverse consequences for the enjoyment of human rights of political, military, economic and other forms of assistance given to the racist regime of South Africa

10. At the 7th meeting, on 15 July, the Committee adopted draft resolution I, entitled "Adverse consequences for the enjoyment of human rights of political, military, economic and other forms of assistance given to the racist regime of South Africa", by a recorded vote of 31 to 16, with 4 abstentions (see para. 72 below, draft resolution I). The voting was as follows:

In favour: Algeria, Angola, Bahrain, Bangladesh, Benin, Botswana, Brazil, Burkina Faso, Chile, China, Colombia, Ecuador, Ethiopia, Guinea, India, Iran (Islamic Republic of), Jamaica, Malaysia, Mexico, Morocco, Pakistan, Peru, Philippines, Rwanda, Suriname, Swaziland, Syrian Arab Republic, Togo, Trinidad and Tobago, Yugoslavia, Zaire.

Against: Australia, Austria, Belgium, Bulgaria, Canada, Finland, France, Germany, Italy, Japan, Poland, Romania, Sweden, Turkey, United Kingdom of Great Britain and Northern Ireland, United States of America.

Abstaining: Argentina, Belarus, Russian Federation, Spain.

The representative of Spain said that his delegation had wished to vote against the draft resolution and not to have abstained.

The representative of Kuwait stated that had she been present during the vote, her delegation would have voted in favour of the draft resolution.

The representative of Madagascar stated that had she been present during the vote, her delegation would have voted in favour of the draft resolution.

Rights of persons belonging to national, ethnic, religious and linguistic minorities

11. At the 7th meeting, on 15 July, the Committee adopted draft resolution II, entitled "Rights of persons belonging to national, ethnic, religious and linguistic minorities" (see para. 72 below, draft resolution II).

Declaration on the protection of all persons from enforced disappearance

12. At the 7th meeting, on 15 July, the Committee adopted draft resolution III, entitled "Declaration on the protection of all persons from enforced disappearance" (see para. 72 below, draft resolution III).

13. After the draft resolution was adopted, the representative of China made a statement.

Question of a draft optional protocol to the Convention against Torture and other Cruel, Inhuman or Degrading Treatment or Punishment

14. At the 7th meeting, on 15 July, the Committee adopted draft resolution IV, entitled "Question of a draft optional protocol to the Convention against Torture and other Cruel, Inhuman or Degrading Treatment or Punishment" (see para. 72 below, draft resolution IV).

Human rights and youth

15. At the 7th meeting, on 15 July, the Committee adopted draft resolution V, entitled "Human rights and youth" (see para. 72 below, draft resolution V).

Implementation of the Convention on the Rights of the Child

16. At the 7th meeting, on 15 July, the Committee adopted draft resolution VI, entitled "Implementation of the Convention on the Rights of the Child" (see para. 72 below, draft resolution VI).

Question of a draft declaration on the right and responsibility of individuals, groups and organs of society to promote and protect universally recognized human rights and fundamental freedoms

17. At the 7th meeting, on 15 July, the Committee adopted draft resolution VII, entitled "Question of a draft declaration on the right and responsibility of individuals, groups and organs of society to promote and protect universally recognized human rights and fundamental freedoms" (see para. 72 below, draft resolution VII).

Use of mercenaries as a means of impeding the exercise of the right of peoples to self-determination

18. At the 7th meeting, on 15 July, the Committee adopted draft decision 1, entitled "Use of mercenaries as a means of impeding the exercise of the right of peoples to self-determination" (see para. 73 below, draft decision I).

Implementation of the Declaration on the Elimination of All Forms of Intolerance and of Discrimination Based on Religion or Belief

19. At the 7th meeting, on 15 July, the Committee adopted draft decision 2, entitled "Implementation of the Declaration on the Elimination of All Forms of Intolerance and of Discrimination Based on Religion or Belief" (see para. 73 below, draft decision II).

Question of enforced or involuntary disappearances

20. At the 7th meeting, on 15 July, the Committee adopted draft decision 3, entitled "Question of enforced or involuntary disappearances" (see para. 73 below, draft decision III).

Torture and other cruel, inhuman or degrading treatment or punishment

21. At the 7th meeting, on 15 July, the Committee adopted draft decision 4, entitled "Torture and other cruel, inhuman or degrading treatment or punishment" (see para. 73 below, draft decision IV).

Independence and impartiality of the judiciary, jurors and assessors and the independence of lawyers

22. At the 7th meeting, on 15 July, the Committee adopted draft decision 5, entitled "Independence and impartiality of the judiciary, jurors and assessors and the independence of lawyers" (see para. 73 below, draft decision V).

Right to a fair trial

23. At the 7th meeting, on 15 July, the Committee adopted draft decision 6, entitled "Right to a fair trial" (see para. 73 below, draft decision VI).

Report of the Working Group on Indigenous Populations of the Subcommission on Prevention of Discrimination and Protection of Minorities

24. At the 7th meeting, on 15 July, the Committee adopted draft decision 7, entitled "Report of the Working Group on Indigenous Populations of the Subcommission on Prevention of Discrimination and Protection of Minorities" (see para. 73 below, draft decision VII).

Human rights and disability

25. At the 7th meeting, on 15 July, the Committee adopted draft decision 8, entitled "Human rights and disability" (see para. 73 below, draft decision VIII).

National institutions for the promotion and protection of human rights

26. At the 4th meeting, on 2 July, the representative of Australia introduced an amendment (E/1992/C.2/L.1) to draft decision 9, entitled "National

institutions for the promotion and protection of human rights", by which the following phrase would be added at the end of the draft decision:

> "and decides to transmit to the General Assembly for adoption the 'Principles relating to the status of national institutions', annexed to Commission on Human Rights resolution 1992/54 of 3 March 1992".

27. In introducing the amendment, the representative of Australia orally revised it by inserting after the words "for adoption the" the words "recommendations contained in the report of the International Workshop, which are entitled".

28. At the 7th meeting, on 15 July, the Committee adopted the amendment to draft decision 9, as orally revised.

29. At the same meeting, the Committee adopted draft decision 9, as amended and orally revised (see para. 73 below, draft decision IX).

30. After the draft decision was adopted, statements were made by the representatives of India and China.

Discrimination against people infected with the human immunodeficiency virus (HIV) or with acquired immune deficiency syndrome (AIDS)

31. At the 7th meeting, on 15 July, the Committee adopted draft decision 10, entitled "Discrimination against people infected with the human immunodeficiency virus (HIV) or with acquired immune deficiency syndrome (AIDS)" (see para. 73 below, draft decision X).

Situation of human rights in Myanmar

32. At the 7th meeting, on 15 July, the Committee adopted draft decision 11, entitled "Situation of human rights in Myanmar" (see para. 73 below, draft decision XI).

Situation of human rights in Cuba

33. At the 7th meeting, on 15 July, the observer for Cuba made a statement. The Committee then adopted draft decision 12, entitled "Situation of human rights in Cuba", by a recorded vote of 25 to 4 with 23 abstentions (see para. 73 below, draft decision XII). The voting was as follows:

In favour: Argentina, Australia, Austria, Belarus, Belgium, Benin, Bulgaria, Canada, Chile, Finland, France, Germany, Italy, Japan, Kuwait, Morocco, Poland, Romania, Russian Federation, Spain, Suriname, Sweden, Turkey, United Kingdom of Great Britain and Northern Ireland, United States of America.

Against: Angola, China, Iran (Islamic Republic of), Syrian Arab Republic.

Abstaining: Algeria, Bahrain, Bangladesh, Botswana, Brazil, Burkina Faso, Colombia, Ecuador, Ethiopia, Guinea, India, Jamaica, Malaysia, Mexico, Pakistan, Peru, Philippines, Rwanda, Swaziland, Togo, Trinidad and Tobago, Yugoslavia, Zaire.

The representative of Madagascar stated that had she been present during the vote, her delegation would have abstained.

Situation of human rights in El Salvador

34. At the 7th meeting, on 15 July, the Committee adopted draft decision 13, entitled "Situation of human rights in El Salvador" (see para. 73 below, draft decision XIII).

Work of the Subcommission on Prevention of Discrimination and Protection of Minorities

35. At the 7th meeting, on 15 July, the Committee adopted draft decision 14, entitled "Work of the Subcommission on Prevention of Discrimination and Protection of Minorities" (see para. 73 below, draft decision XIV).

Situation of human rights in the Islamic Republic of Iran

36. At the 7th meeting, on 15 July, the Committee adopted draft decision 15, entitled "Situation of human rights in the Islamic Republic of Iran (see para. 73 below, draft decision XV).

37. After the adoption of the draft decision, the representative of the Islamic Republic of Iran made a statement.

Situation of human rights in Afghanistan

38. At the 7th meeting, on 15 July, the Committee adopted draft decision 16, entitled "Situation of human rights in Afghanistan" (see para. 73 below, draft decision XVI).

Situation of human rights in Iraq

39. At the 7th meeting, on 15 July, the observer for Iraq made a statement. The Committee then adopted draft decision 17, entitled "Situation of human rights in Iraq" (see para. 73 below, draft decision XVII).

Extrajudicial, summary or arbitrary executions

40. At the 7th meeting, on 15 July, the Committee adopted draft decision 18, entitled "Extrajudicial, summary or arbitrary executions" (see para. 73 below, draft decision XVIII).

Internally displaced persons

41. At the 7th meeting, on 15 July, the Committee adopted draft decision 19, entitled "Internally displaced persons" (see para. 73 below, draft decision XIX).

Special Rapporteur on the sale of children, child prostitution and child pornography

42. At the 7th meeting, on 15 July, the Committee adopted draft decision 20, entitled "Special Rapporteur on the sale of children, child prostitution and child pornography" (see para. 73 below, draft decision XX).

Situation of human rights in Haiti

43. At the 7th meeting, on 15 July, the Committee adopted draft decision 21, entitled "Situation of human rights in Haiti" (see para. 73 below, draft decision XXI).

44. After the draft decision was adopted, the observer for Haiti made a statement.

Assistance to Guatemala in the field of human rights

45. At the 7th meeting, on 15 July, the Committee adopted draft decision 22, entitled "Assistance to Guatemala in the field of human rights" (see para. 73 below, draft decision XXII).

Situation in Equatorial Guinea

46. At the 7th meeting, on 15 July, the Committee adopted draft decision 23, entitled "Situation in Equatorial Guinea" (see para. 73 below, draft decision XXIII).

Realization of economic, social and cultural rights

47. At the 7th meeting, on 15 July, the Committee adopted draft decision 24, entitled "Realization of economic, social and cultural rights" (see para. 73 below, draft decision XXIV).

Question of human rights and states of emergency

48. At the 7th meeting, on 15 July, the Committee adopted draft decision 25, entitled "Question of human rights and states of emergency" (see para. 73 below, draft decision XXV).

The right to restitution, compensation and rehabilitation for victims of gross violations of human rights and fundamental freedoms

49. At the 7th meeting, on 15 July, the Committee adopted draft decision 26, entitled "The right to restitution, compensation and rehabilitation for

victims of gross violations of human rights and fundamental freedoms" (see para. 73 below, draft decision XXVI).

Traditional practices affecting the health of women and children

50. At the 7th meeting, on 15 July, the Committee adopted draft decision 27, entitled "Traditional practices affecting the health of women and children" (see para. 73 below, draft decision XXVII).

Human rights and the environment

51. At the 7th meeting, on 15 July, the Committee adopted draft decision 28, entitled "Human rights and the environment" (see para. 73 below, draft decision XXVIII).

Study on treaties, agreements and other constructive arrangements between States and indigenous populations

52. At the 7th meeting, on 15 July, the Committee adopted draft decision 29, entitled "Study on treaties, agreements and other constructive arrangements between States and indigenous populations" (see para. 73 below, draft decision XXIX).

Possible ways and means of facilitating the peaceful and constructive solution of problems involving minorities

53. At the 7th meeting, on 15 July, the Committee adopted draft decision 30, entitled "Possible ways and means of facilitating the peaceful and constructive solution of problems involving minorities" (see para. 73 below, draft decision XXX).

Economic and social relations between indigenous peoples and States

54. At the 7th meeting, on 15 July, the Committee adopted draft decision 31, entitled "Economic and social relations between indigenous peoples and States (see para. 73 below, draft decision XXXI).

Ownership and control of the cultural property of indigenous peoples

55. At the 7th meeting, on 15 July, the Committee adopted draft decision 32, entitled "Ownership and control of the cultural property of indigenous peoples" (see para. 73 below, draft decision XXXII).

Working Group on Contemporary Forms of Slavery

56. At the 7th meeting, on 15 July, the Committee adopted draft decision 33, entitled "Working Group on Contemporary Forms of Slavery" (see para. 73 below, draft decision XXXIII).

Organization of the work of the forty-ninth session of the Commission on Human Rights

57. At the 7th meeting, on 15 July, the Committee adopted draft decision 34, entitled "Organization of work of the forty-ninth session of the Commission on Human Rights" (see para. 73 below, draft decision XXXIV).

Recommendations contained in the report of the Committee on Economic, Social and Cultural Rights

58. Chapter I of the report of the Committee on Economic, Social and Cultural Rights on its sixth session (E/1992/23) contained 3 draft decisions recommended for adoption by the Council. The programme budget implications of the draft decisions were contained in document E/1992/23/Add.1.

Extraordinary additional session for the Committee on Economic, Social and Cultural Rights

59. At the 7th meeting, on 15 July, the Committee adopted draft decision I, entitled "Extraordinary additional session for the Committee on Economic, Social and Cultural Rights" (see para. 73 below, draft decision XXXV).

60. After the adoption of the draft decision, the representative of the United Kingdom of Great Britain and Northern Ireland made a statement.

Non-submission of reports by States parties

61. At the 2nd meeting, on 30 June, the Chairman informed the Committee that in connection with draft decision II, entitled "Non-submission of reports by States parties", the report of Viet Nam under articles 16 and 17 of the International Covenant on Economic, Social and Cultural Rights had recently been submitted and that, accordingly, the reference to Viet Nam should be deleted from the ninth line of the draft decision.

62. At the 7th meeting, the Committee adopted draft decision II, entitled "Non-submission of reports by States parties" (see para. 73 below, draft decision XXXVI).

Technical assistance in implementing the International Covenant on Economic, Social and Cultural Rights

63. At the 7th meeting, on 15 July, the Committee adopted draft decision III, entitled "Technical assistance in implementing the International Covenant on Economic, Social and Cultural Rights" (see para. 73 below, draft decision XXXVII).

Documents relating to the item entitled "Human rights questions"

64. At the 7th meeting, on 15 July, on the proposal of the Chairman, the Committee took note of a number of reports considered under the item entitled "Human rights questions" (see para. 73 below, draft decisions XXXVIII and XXXIX).

65. At the same meeting the representative of the United Kingdom of Great Britain and Northern Ireland made a statement, and upon his proposal, the Committee agreed to transmit the draft decision contained in paragraph 73 of this report (draft decision XL).

Other proposals

Suppression of the traffic in persons

66. At the 4th meeting, on 2 July, the observer for the Netherlands, 4/ on behalf of Belgium, Czechoslovakia, 4/ Ecuador, France, Gambia, 4/ Ireland, 4/ Nicaragua, 4/ Philippines, Romania and Venezuela, 4/ introduced a draft resolution (E/1992/C.2/L.2) entitled "Suppression of the traffic in persons". Subsequently Morocco and the Russian Federation joined in sponsoring the draft resolution.

67. At the 5th meeting, on 2 July, the Committee adopted the draft resolution (see para. 72 below, draft resolution VIII).

International Covenants on Human Rights

68. At the 4th meeting, on 2 July, the representative of Sweden, on behalf of Australia, Austria, Canada, Chile, Colombia, Cyprus, 4/ Czechoslovakia, 4/ Denmark, 4/ Ecuador, El Salvador, 4/ Finland, Germany, Hungary, 4/ Iceland, 4/ Netherlands, 4/ Norway, 4/ Poland, Portugal, 4/ Romania, Spain, Switzerland, 4/ the United Kingdom of Great Britain and Northern Ireland and Uruguay, 4/ introduced a draft resolution (E/1992/C.2/L.3), entitled "International Covenants on Human Rights". Subsequently, Belarus, Benin and the Russian Federation joined in sponsoring the draft resolution.

69. At the 5th meeting, on 2 July, the Committee adopted the draft resolution (see para. 72 below, draft resolution IX).

Allegations regarding infringements of trade union rights

70. At the 5th meeting, on 2 July, the representative of Madagascar (on behalf of the African States that are members of the Economic and Social Council) introduced a draft resolution (E/1992/C.2/L.4), entitled "Allegations regarding infringements of trade union rights".

4/ In accordance with rule 72 of the rules of procedure of the Economic and Social Council.

71. At the 7th meeting, on 15 July, the Committee adopted the draft resolution (see para. 72 below, draft resolution X).

RECOMMENDATIONS OF THE SOCIAL COMMITTEE

72. The Social Committee recommends to the Economic and Social Council the adoption of the following draft resolutions:

[FOR THE TEXT OF DRAFT RESOLUTIONS I-VII, SEE THE REPORT OF THE COMMISSION ON HUMAN RIGHTS (E/1992/22), CHAP. I, SECT. A]

DRAFT RESOLUTION VIII

Suppression of the traffic in persons

The Economic and Social Council,

Recalling Commission on Human Rights resolutions 1982/20 of 10 March 1982 5/ on the question of slavery and the slave trade in all their practices and manifestations, including the slavery-like practices of apartheid and colonialism, 1988/42 of 8 March 1988, 6/ 1989/35 of 6 March 1989, 7/ 1990/63 of 7 March 1990, 8/ and 1991/58 of 6 March 1991, 9/ and taking note of Commission resolutions 1992/47 of 3 March 1992 10/ on the report of the Working Group on Contemporary Forms of Slavery of the Subcommission on Prevention of Discrimination and Protection of Minorities and 1992/74 of 5 March 1992, 10/

Recalling also its resolutions 1982/20 of 4 May 1982 and 1983/30 of 26 May 1983 on the suppression of the traffic in persons and of the exploitation of the prostitution of others, 1988/34 of 27 May 1988 and 1989/74 of 24 May 1989 on the Working Group on Contemporary Forms of Slavery of the

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5/ Official Records of the Economic and Social Council, 1982, Supplement No. 2 (E/1982/12), chap. XXVI, sect. A.

6/ Ibid., 1988, Supplement No. 2 and corrigendum (E/1988/12 and Corr.1), chap. II, sect. A.

7/ Ibid., 1989, Supplement No. 2 (E/1989/20), chap. II, sect. A.

8/ Ibid., 1990, Supplement No. 2 and corrigendum (E/1990/22 and Corr.1), chap. II, sect. A.

9/ Ibid., 1991, Supplement No. 2 (E/1991/22), chap. II, sect. A.

10/ Ibid., 1992, Supplement No. 2 (E/1992/22), chap. II, sect. A.

Subcommission on Prevention of Discrimination and Protection of Minorities, and 1990/46 of 25 May 1990 and 1991/35 of 31 May 1991 on the suppression of the traffic in persons,

Considering that the report of the Special Rapporteur of the Economic and Social Council on the suppression of the traffic in persons and the exploitation of the prostitution of others 11/ still constitutes a useful basis for further action,

Having examined the report of the Secretary-General on the implementation of Council resolution 1983/30 on the suppression of the traffic in persons and of the exploitation of the prostitution of others, 12/

Noting that only a few Member States, United Nations organizations and other intergovernmental organizations have submitted information on the steps taken to implement the recommendations contained in Council resolution 1983/30,

Gravely concerned that slavery, the slave trade and slavery-like practices still exist, that there are modern manifestations of those phenomena and that such practices represent some of the gravest violations of human rights,

Convinced that the United Nations Trust Fund on Contemporary Forms of Slavery will play an important role in the protection of the human rights of victims of contemporary forms of slavery,

Aware of the complexity of the issue of the suppression of the traffic in persons and the exploitation of the prostitution of others, and the need for further coordination and cooperation to implement the recommendations made by the Special Rapporteur and by various United Nations bodies,

1. Reminds States parties to the Slavery Convention of 1926, 13/ the Supplementary Convention on the Abolition of Slavery, the Slave Trade and Institutions and Practices Similar to Slavery of 1956, 13/ and the Convention for the Suppression of the Traffic in Persons and of the Exploitation of the Prostitution of Others of 1949 13/ that they should submit to the Working Group on Contemporary Forms of Slavery of the Subcommission on Prevention of Discrimination and Protection of Minorities regular reports on the situation in their countries, as provided for under the relevant conventions and under Council decision 16 (LVI) of 17 May 1974;

11/ E/1983/7 and Corr.1 and 2.

12/ E/1992/49 and Add.1 and 2.

13/ See Human Rights: A Compilation of International Instruments (United Nations publication, Sales No. E.88.XIV.1), sect. F.

2. Takes note with appreciation of the report of the Secretary-General on the implementation of Council resolution 1983/30 on the suppression of the traffic in persons and of the exploitation of the prostitution of others; 12/

3. Requests the Secretary-General to submit a further report to the Council, at its substantive session of 1993, on the steps taken to implement the recommendations contained in Council resolution 1983/30 by those Member States, United Nations organizations and other intergovernmental organizations that have not yet submitted such information and to make that report available to the Working Group on Contemporary Forms of Slavery of the Subcommission on Prevention of Discrimination and Protection of Minorities;

4. Also requests the Secretary-General to include in that report information on activities of the supervisory bodies of the International Labour Organisation regarding the implementation of provisions and standards designed to ensure the protection of children and other persons exposed to contemporary forms of slavery;

5. Further requests the Secretary-General to include in that report information on any operational activities of the United Nations system that can foster the implementation of standards designed to ensure the protection of children and other persons exposed to contemporary forms of slavery and activities that may be geared to the prevention of violations and alleviation of the plight, or rehabilitation, of victims;

6. Urges the Secretary-General to ensure effective servicing of the Working Group and of other activities related to the suppression of contemporary forms of slavery and slavery-like practices, and requests him to report to the Council at its substantive session of 1993 on the steps taken in this regard;

7. Reiterates its request to the Secretary-General to designate the Centre for Human Rights of the Secretariat as the focal point for the coordination of activities in the United Nations for the suppression of contemporary forms of slavery;

8. Urges the Commission on the Status of Women and the Commission on Crime Prevention and Criminal Justice to collaborate closely with the Centre for Human Rights on the issue of the suppression of contemporary forms of slavery;

9. Welcomes the establishment of the United Nations Trust Fund on Contemporary Forms of Slavery;

10. Decides to consider the question of the suppression of the traffic in persons at its substantive session of 1993 under the item entitled "Human rights questions".

DRAFT RESOLUTION IX

International Covenants on Human Rights

The Economic and Social Council,

Bearing in mind its important responsibilities in relation to the coordination of activities to promote the International Covenants on Human Rights, 14/

Mindful that the International Covenants on Human Rights constitute the first all-embracing and legally binding international treaties in the field of human rights and, together with the Universal Declaration of Human Rights 15/ form the core of the International Bill of Rights,

Recalling the International Covenant on Economic, Social and Cultural Rights, 14/ the International Covenant on Civil and Political Rights 14/ and the Optional Protocols to the International Covenant on Civil and Political Rights 16/ and reaffirming that all human rights and fundamental freedoms are indivisible and interrelated and that the promotion and protection of one category of rights should never exempt or excuse States from the promotion and protection of the other rights,

Noting the entry into force on 11 July 1991 of the Second Optional Protocol to the International Covenant on Civil and Political Rights, aiming at the abolition of the death penalty,

Recognizing the important role of the Human Rights Committee and the Committee on Economic, Social and Cultural Rights in promoting and implementing the International Covenants on Human Rights,

Taking note with appreciation of the report of the Committee on Economic, Social and Cultural Rights on its sixth session, 17/ as well as the general and country specific comments of the Human Rights Committee,

Noting, in this regard, that a number of States Members of the United Nations have yet to become parties to the International Covenants on Human Rights,

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14/ See General Assembly resolution 2200 A (XXI), annex.

15/ General Assembly resolution 217 A (III).

16/ See General Assembly resolutions 2200 A (XXI), annex, and 44/128, annex.

17/ Official Records of the Economic and Social Council, 1992, Supplement No. 3 (E/1992/23).

Considering that the effective functioning of treaty bodies established in accordance with the relevant provisions of international instruments on human rights plays a fundamental role and hence represents an important continuing concern of the United Nations,

Welcoming the conclusions and recommendations of the meetings of persons chairing the human rights treaty bodies aimed at streamlining, rationalizing and otherwise improving reporting procedures, as well as the continuing efforts in this connection by the treaty bodies and the Secretary-General within their respective spheres of competence,

1. Reaffirms the importance of the International Covenants on Human Rights as major parts of the international effort to promote universal respect for and observance of human rights and fundamental freedoms;

2. Appeals strongly to all States that have not yet done so to become parties to the International Covenant on Economic, Social and Cultural Rights and the International Covenant on Civil and Political Rights and to consider acceding to its First Optional Protocol as well as its Second Optional Protocol, aiming at the abolition of the death penalty;

3. Again invites the States parties to the International Covenant on Civil and Political Rights to consider making the declaration provided for in article 41 of the Covenant;

4. Appeals to States parties to the Covenants that have exercised their sovereign right to make reservations in accordance with relevant rules of international law to consider whether any such reservations should be reviewed;

5. Invites the Secretary-General to intensify the systematic efforts to encourage States to become parties to the International Covenants on Human Rights and, through the programme of advisory services in the field of human rights, to provide technical assistance to the States that are not parties to the Covenants, with a view to assisting them in ratifying or acceding to the Covenants;

6. Emphasizes the importance of the strictest compliance by States parties to the Covenants with their obligations under the International Covenant on Economic, Social and Cultural Rights, the International Covenant on Civil and Political Rights and, where applicable, the Optional Protocols to the International Covenant on Civil and Political Rights;

7. Stresses the importance of avoiding the erosion of human rights by derogation and the need for strict observance of all the agreed conditions and procedures for derogation under article 4 of the International Covenant on Civil and Political Rights;

8. Welcomes the continuing efforts of the Human Rights Committee to strive for uniform standards in the implementation of the provisions of the International Covenant on Civil and Political Rights and appeals to other

bodies dealing with similar questions of human rights to respect those standards as expressed in the general comments of the Human Rights Committee;

9. Also welcomes the adoption by the Committee on Economic, Social and Cultural Rights of a general comment at its third, 18/ fourth 19/ and fifth 20/ sessions, and encourages the Committee to continue using that mechanism to develop a fuller appreciation of the obligations of States parties under the International Covenant on Economic, Social and Cultural Rights;

10. Further welcomes the fact that the Committee on Economic, Social and Cultural Rights, in its general comment on article 11, paragraph 1, of the Covenant, adopted at its sixth session, 21/ dealt with the right to adequate housing;

11. Invites States parties to the International Covenant on Economic, Social and Cultural Rights, in conformity with article 2, paragraph 1, of the Covenant, to consider identifying benchmarks to measure achievements in the progressive realization of the rights recognized in the Covenant and, in that context, to pay particular regard to the most vulnerable and disadvantaged groups;

12. Requests the Secretary-General to keep the Human Rights Committee and the Committee on Economic, Social and Cultural Rights informed of the relevant activities of the General Assembly, the Economic and Social Council, the Commission on Human Rights, the other functional commissions concerned, the Subcommission on Prevention of Discrimination and Protection of Minorities, the other treaty bodies and, as appropriate, the specialized agencies, and also to transmit the annual reports of the Human Rights Committee and the Committee on Economic, Social and Cultural Rights to those bodies;

13. Encourages all Governments to publicize the texts of the International Covenant on Economic, Social and Cultural Rights, the International Covenant on Civil and Political Rights and the Optional Protocols to the International Covenant on Civil and Political Rights, in all appropriate languages, and to distribute them and make them known as widely as possible in their territories;

18/ Ibid., 1989, Supplement No. 4 (E/1989/22), annex III.

19/ Ibid., 1990, Supplement No. 3 and corrigendum (E/1990/23 and Corr.1), annex III.

20/ Ibid., 1991, Supplement No. 3 and corrigendum (E/1991/23 and Corr.1), annex III.

21/ Ibid., 1992, Supplement No. 3 (E/1992/23), annex III.

14. Invites States parties to the Covenants to consider the general comments adopted by the Human Rights Committee and the report of the Committee on Economic, Social and Cultural Rights;

15. Decides to transmit the report of the Committee on Economic, Social and Cultural Rights to the General Assembly at its forty-seventh session for consideration under the agenda item entitled "Human rights questions".

DRAFT RESOLUTION X

Allegations regarding infringements of trade union rights

The Economic and Social Council,

Having considered the report of the Fact-finding and Conciliation Commission on Freedom of Association concerning South Africa 22/ referred to it by the International Labour Office, pursuant to Council resolution 1991/37 of 31 May 1991,

Noting with satisfaction the findings, conclusions and recommendations contained therein, and with specific reference to paragraph 748, clauses 13, 14 and 15 of the report,

1. Requests the Secretary-General to invite the Government of South Africa to report, no later than 31 December 1992, on the measures which it has taken to give effect to the recommendations contained in the said report, and thereafter at yearly intervals until the Economic and Social Council is satisfied that the said recommendations have been implemented;

2. Also requests the Secretary-General to refer the Government's reports on this matter to the International Labour Office with the request that the latter transmit to the Council its advice and comments stemming from examination of the said reports;

3. Takes note of the request of the Government of South Africa that the International Labour Office provide technical assistance and advice to the Government, and to labour and management organizations of South Africa, in respect of the recasting of that country's labour laws and invites the International Labour Office to comply with this request and to inform the Council of actions taken in this regard in the context of an annual report to the United Nations.

73. The Social Committee also recommends to the Economic and Social Council the adoption of the following draft decisions:

[FOR THE TEXT OF DRAFT DECISIONS I-VIII AND X-XXXIV, SEE THE REPORT OF THE COMMISSION ON HUMAN RIGHTS (E/1992/22), CHAP. I, SECT. B]

22/ E/1992/70.

DRAFT DECISION IX

National institutions for the promotion and protection of human rights

The Economic and Social Council, taking note of Commission on Human Rights resolution 1992/54 of 3 March 1992, approves the Commission's request to the Secretary-General to publicize the proceedings of the International Workshop on National Institutions for the Promotion and Protection of Human Rights (E/CN.4/1992/43 and Add.1 and 2) and to undertake follow-up activities, to commence the planning of a follow-up international workshop in 1993, following the World Conference on Human Rights, and to submit a report on those preparations to the Commission at its forty-ninth session, and decides to transmit to the General Assembly for adoption the recommendations contained in the report of the International Workshop, which are entitled "Principles relating to the status of national institutions" and contained in the annex to Commission resolution 1192/54.

[FOR THE TEXT OF DRAFT DECISIONS XXXV AND XXXVII, SEE THE REPORT OF THE COMMITTEE ON ECONOMIC, SOCIAL AND CULTURAL RIGHTS (E/1992/23), CHAP. I]

DRAFT DECISION XXXVI

Non-submission of reports by States parties

The Economic and Social Council, recalling the concern that it has frequently expressed at the non-submission of reports by States parties to international human rights treaties, appeals to the following States, parties to the International Covenant on Economic, Social and Cultural Rights for more than 10 years, which have yet to submit even the initial report required by the Covenant to do so as soon as possible: Bolivia, Central African Republic, Egypt, El Salvador, Gambia, Guinea, Kenya, Lebanon, Mali, Mauritius, Morocco, Saint Vincent and the Grenadines, Solomon Islands, Sri Lanka and Suriname. The Council notes that these States might wish to avail themselves of the advisory services available from the Centre for Human Rights to assist them in the preparation of their overdue reports.

DRAFT DECISION XXXVIII

Report of the Committee on the Rights of the Child on its first session

The Economic and Social Council takes note of the report of the Committee on the Rights of the Child on its first session (A/47/41) and transmits it to the General Assembly at its forty-seventh session.

DRAFT DECISION XXXIX

Documents considered by the Economic and Social Council in connection with the question of human rights

The Economic and Social Council takes note of the following reports:

(a) Note by the Secretary-General on the International Covenant on Civil and Political Rights (E/1992/58);

(b) Report of the Secretary-General on regional arrangements for the promotion and protection of human rights in the Asian and Pacific region (A/47/184-E/1992/44);

(c) Report of the Secretary-General on suppression of the traffic in persons and of the exploitation of the prostitution of others (E/1992/49 and Add.1 and 2);

(d) Note by the Secretariat transmitting the relevant section of the report of the Ad Hoc Working Group of Experts on southern Africa of the Commission on Human Rights (E/1992/41).

DRAFT DECISION XL

Report of the Commission on Human Rights on its forty-eighth session and provisional agenda and documentation for the forty-ninth session of the Commission

The Economic and Social Council takes note of the report of the Commission on Human Rights on its forty-eighth session 23/ and of the draft provisional agenda and documentation for the forty-ninth session of the Commission 24/ as set out in that report.

23/ Official Records of the Economic and Social Council, 1992, Supplement No. 2 (E/1992/22).

24/ Ibid., para. 805.